

Judge: Christopher M. Alston
Chapter: 13
Hearing Date: July 19, 2018
Hearing Time: 9:30 am
Hearing Location: Judge Alston's Courtroom
700 Stewart St #7206
Seattle, WA 98101-8101
Response Date: July 12, 2018

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

In Re:

EUGENE P. VIJARRO,

Debtor.

IN CHAPTER 13 PROCEEDING
NO. 18-10945

NOTICE OF TRUSTEE'S MOTION TO DISMISS
CASE AND HEARING

PLEASE TAKE NOTICE that the Chapter 13 Trustee's Motion to Dismiss Case IS SET FOR HEARING as follows:

Judge: Christopher M. Alston
Place: Judge Alston's Courtroom
700 Stewart St #7206
Seattle, WA 98101-8101

Date: July 19, 2018
Time: 9:30 am

IF YOU OPPOSE the motion, you must file your written response with the Court Clerk NOT LATER THAN THE RESPONSE DATE, which is July 12, 2018.

IF NO RESPONSE IS TIMELY FILED, the Court may, in its discretion, GRANT THE MOTION PRIOR TO THE HEARING WITHOUT FURTHER NOTICE, and strike the hearing.

Date: May 23, 2018

/s/K. Michael Fitzgerald
K. Michael Fitzgerald, WSBA# 8115
Chapter 13 Trustee

NOTICE OF TRUSTEE'S MOTION TO DISMISS CASE
AND HEARING

Chapter 13 Bankruptcy Trustee
600 University St. #1300
Seattle, WA 98101
(206) 624-5124

Judge: Christopher M. Alston
Chapter: 13
Hearing Date: July 19, 2018
Hearing Time: 9:30 am
Hearing Location: Judge Alston's Courtroom
700 Stewart St #7206
Seattle, WA 98101-8101
Response Date: July 12, 2018

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

In Re:

EUGENE P. VIJARRO,

Debtor.

IN CHAPTER 13 PROCEEDING

NO. 18-10945

TRUSTEE'S MOTION TO DISMISS CASE

The Trustee moves to dismiss this case pursuant to 11 U.S.C. § 1307(c):

The debtor filed a plan on May 16, 2018 (ECF No. 17).

The debtor's case was filed on March 8, 2018 (ECF No. 1). Based on the claim filed by Ditech Financial, LLC (ECF Claim No. 1), the pre-petition mortgage delinquency for the real property located at 10800 11th Avenue SW, Seattle, WA 98146 totals \$20,295.50. The debtor needs to amend the plan to increase the periodic payment for Ditech in Section IV.C.1. to approximately \$344.00/month. The Trustee reserves the right to assert additional bases for this motion. If the debtor fails to address the issues set forth in both the Trustee's Objection and Motion to Dismiss, the case should be dismissed.

THE TRUSTEE REQUESTS that the Court dismiss this case.

Dated: May 23, 2018

/s/ K. Michael Fitzgerald
K. Michael Fitzgerald, WSBA #8115
Chapter 13 Trustee

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10 **IN THE UNITED STATES BANKRUPTCY COURT**
11 **FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

12 In Re:

13 EUGENE P. VIJARRO,

14 Debtor.

IN CHAPTER 13 PROCEEDING
NO. 18-10945

Proposed
ORDER DISMISSING CASE

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16 THIS MATTER having come before the Court on the Chapter 13 Trustee's Motion to Dismiss Case, and the
17 Court having reviewed and considered the motion, records and files in this case, it is

18 ORDERED that this case is dismissed.

19 // End of Order //

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22 Presented by:

/s/K. Michael Fitzgerald

23 K. Michael Fitzgerald, WSBA# 8115

24 Chapter 13 Bankruptcy Trustee

25 600 University St. #1300

26 Seattle, WA 98101

(206) 624-5124

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ORDER DISMISSING CASE

Chapter 13 Bankruptcy Trustee
600 University St. #1300
Seattle, WA 98101
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